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 Indian-Pioneer History
 S-149
 April 23, 1937
 Tulsa, Okla.

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TRIBAL CUSTOMS GOVERNING HOME LIFE
OF THE OSAGE PEOPLE

PAST AND PRESENT - A CONTRAST

(From manuscripts found in the files of the late W.B. McCuite- Pawhuska -date 1926. Now in possession of his sister Mrs. W.B. Frederick- 119 N. Wheeling, Tulsa, Okla.)

Historians tell us that when the customs governing the home life of a people, clan or tribe, are broken, the story from then on is one of the decline of that nation, race or tribe.

So the practical annihilation of the Osage tribe of Indians is traced by members of the tribe to that time when their old tribal customs and laws governing home life began to give way to the laws and customs of the white man.

So in examining the records of the recent crimes committed against the Osage Indians it is well to know that it was started many years ago and has been a slow process, the breaking down of the customs and laws of one nation by the influx of a supposedly higher civilization.

In doing this, it is necessary to review the customs of the Osage Indians governing their home life and marriage. For all of the trouble that has followed in the past fifteen years has been the result of the change in the custom of the marriage of the Osage Indians and adopting

the plan set forth in the statutes and laws of the white man. Under the old customs and laws of the Osage tribe, none but the oldest daughter and the oldest son of a family or clan were allowed to marry.

It also must be borne in mind that the groom and bride had nothing to do with the matchmaking and were never allowed to see each other until the day they were to be married.

When the head of a clan or a family had a daughter that was eligible to be married, he notified Wah-she-prahn, which was a council of three old men who were supposed to know the personal history of all the families. There were no written records.

These came into the home of the intended bride and sat in a semi-circle in the tepee. The family of the bride was gathered about. Then began a series of questioning for hundreds of years back, if possible.

These marriages were not consummated as a result of the passion of love. Virtue, obedience to her husband and to the customs of the tribe and preservation of the secrets of the mystic orders, were the governing elements in these marriages and love was a secondary consideration, or no consideration at all.

A love marriage might be consummated, but not until after the death of the first husband or wife as a result of the marriage that had been made under the tribal custom. Also it was the duty of the wife to bear offspring and after she had borne a child for her husband she was then entitled to kill her husband.

After the family history had been passed on by the Wah-she-prahn, the time was set for the wedding ceremony.

On the day of the marriage, when the bride and her family and the family of the groom arrived, each looked over the horses and other belongings of the families.

If they were in good condition, then the heads of the family announced they were satisfied, but if there was anything wrong, if the horses were poor, if the apparel was dirty, the head of either family would complain to the Wah-she-prahn and there would be a council and matters arranged to the satisfaction of all.

Then came the feast. All relatives had to attend the feast and sometimes this would last several days.

Contrary to the present custom among the white race, the Indian man who married followed the family of his bride. He was allowed to spend one day after the marriage with his own people, and then must part forever. When he returned to his home after the marriage, he told his parents whether his bride was a good woman and the Wah-she-prahn was consulted.

Sometimes a bride would have several sisters. These sisters became the concubines of her husband but were never considered as his wives.

The names of the husbands denoted their rank in the secret tribal orders.

Infidelity was punishable by death and divorce was unknown under the old customs.

These Indian women were said to have been very virtuous as long as the tribal customs prevailed.

Only one case has ever been cited among the usages of an Osage girl having gone wrong under the old customs. Her nose and ears were cut off and at every council meeting, she was stoned by other members of the tribe and made a slave.

Finally the Indian boys and girls were sent to Indian schools and assumed some of the customs of the white race and drifted away from the old customs. This proved to be the breaking point in the tribe, for the old marriage customs, the customs that governed the home life and kept their women chaste, were violated more and more.

Here is where the government failed to do its duty and could have prevented much that has followed. Some of the Indians continued to marry under the tribal custom and some under the white man's law. The question of which would be considered legal in the eyes of the law was never settled until 1917 when a case was decided in the

supreme court that the state law was binding in Indian marriages and the marriages had to be performed in this manner.

In 1912 an act was passed by congress allowing the county judge to appoint guardians, administer wills and settle estates. This same law provided that the persons who are in possession of these lands in 1931 shall be declared the unrestricted owners thereafter.

Then the scramble began to see who could get possession of this land so as to be declared the owner in 1931 and the "reign of terror" ensued and has been carried on since and is being carried on to this hour. In most instances it is being done under the sanction of the law but it is moral fraud and the Indians are the financial losers.

The decision relative to the marriages resulted in unscrupulous lawyers persuading Indians to consent to divorce proceedings, a thing unheard of under tribal customs, and every conceivable form of crime has followed to center the estates in one member of a family and the final annihilation of entire families after papers had been signed transferring the property into the hands of attorneys, bankers, doctors or what not.

Again the old historical fact that when the customs governing the home life of a tribe or nation are broken

the decline is started and complete absorption follows, is apparently proved.

A review of crime in the Osage county will show that the crime wave started about eighteen years ago and some of the crimes that have been committed in the name of progress and civilization would put to shame the murderous records of ancient sov riens.

The investigations which so far have been conducted have resulted in the conclusion that a number of professional and business men, with the common run of criminals hired to do the work, were combined to wipe out certain families with a number of headrights, and either through open fraud or under legal guise, divert these headrights and the wealth coming from the same, to themselves so that when the act of L-912 finally becomes effective they can hand this property down to their posterity and the Osage nation will be degenerated into a landed aristocracy.

It has been said before that all of the facts about crime in the Osage country never will be told and it is the purpose here to give some ideas of what probably happened as well as review of the known facts, so far as possible.

This has practically been proven: That a psychi- cal influence has been created because of the crime in this county that has sent many an Osage to an untimely death.

This may be amusing to some, but if all could follow the course of the investigations of the past three years and know more about what has taken place than can be told in the newspapers, it might throw a different light on the entire situation in which the Usage Indians find themselves at the present time.

These people have lived amid this orgy of crime, they have seen entire families wiped out, they are not ignorant of the fact that they have been defrauded but they are afraid to resist it. They do not know when they may be marked by the blackhand of the criminal. It is little wonder then, that they should be overcome by worry and fear.

Here is another fact to be considered: The records of the Usage people fail to show where a member of the tribe, operating under the old tribal customs, ever became insane, yet insanity is common among these people at the present time.

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HERBERT HOOVER'S BOYHOOD DAYS IN PAWHUSKA

AMONG THE OSAGES

(From an account found in the files of the late W. E. McGuire-Fawhuska. Now in possession of his sister, Mrs. W. B. Frederick, 119 N. Wheeling, Tulsa)

Major Laban J. Miles (wife Agnes Minthorn Miles) was appointed by President Grant as agent for the Osage Indians in 1878 at Pawhuska. He served twelve years officially, although most of his life was devoted to unofficial ministrations among the Indians. His father, Benjamin Miles of West Branch, Iowa, had been installed as a teacher in an Indian school at Pawhuska before his own appointment as agent. President Grant had faith in the simple, tolerant, honest Quaker who had had the confidence of the Indians since William Penn's time. He named Quakers to posts in the Indian service. That accounted for Laban Miles and his wife, Agnes, leaving West Branch, Iowa, and settling in the superintendent's residence of stone, which still stands on a high hill in Pawhuska. It was in this house and in the far reaches of the Indian reservation that the boy, Herbert Hoover, spent nine happy months on his visit with his Uncle Laban and Aunt Agnes.

At eight years of age the orphan boy, Herbert Hoover, came to live with his Aunt and Uncle, Major and Mrs. Miles, at the Pawhuska Agency. Aunt Agnes (Mrs. Miles, his mother's sister) journeyed to West Branch, Iowa, to bring him to her home when his mother passed (his father already deceased). They came by train to Kansas City, changed to one to Coffeyville, and made the rest of the journey in an old-fashioned buck board, bumping along behind a pair of government mules.

Two of the Miles children were about the same age as Herbert. They were Harriet, now Mrs. Frank B. Odell, wife of a Topeka, Kansas, physician, and Theodore Miles, now in business in Pawhuska. The three children formed a "gang", roaming the hills and entering into sports with the Indian children on the reservation. The Osage treaty kept their country for the Indians, excluding the white people. The Miles children were the only white youngsters so they immediately took up the sports of the Indian children.

Bert also collected stones and mineral pieces which he found on his wanderings around the reservation. He was attracted to them because of the colors or the grotesque shapes. When he spied a stone he desired to add to his collection, the pony was brought to a stop while the

youngster dismounted and stuffed the prize into a pocket. Frequently he had his pockets filled with his treasures. There was some keel to be found on the reservation, and Mrs. Odell recalled she and Bert and the rest of the "gang" used the soft stone to mark on a fence surrounding the residence. The fence was their "blackboard" and the keel, which left a satisfactory red mark, was used to draw pictures and to write.

Payment time, when the Osages were given their allotment money, was an event which interested everyone. Major Miles must go to Coffeyville, St. Louis or Kansas City to obtain "hard money", because the Indians would not accept checks. It was a dangerous trip over the long trail back to the reservation with a fortune in gold and silver in money bags. Major Miles always had guards with him. There was anxiety until the father returned and further anxiety until he had successfully paid off the Indians because the presence of large sums of money in the house imposed a constant menace from bandit attacks. Later Major Miles had an office built away from his home and the money was kept there under guard.

The Osages would arrive and pitch their wigwams near